



PATENT

ATTORNEY DOCKET NO.: 040894-7484

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Kenji KOBAYASHI

Application No.: 10/588,953

Filed: June 5, 2007

For: BINDING PIECE AND BINDING APPARATUS

Confirmation No.: 3932

Group Art Unit: 3722

Examiner: Unassigned

Commissioner for Patents
U.S. Patent and Trademark Office
Alexandria, VA 22314

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicant brings to the attention of the Examiner the documents listed on the attached PTO Form 1449. To the best of the undersigned's knowledge, this Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application. Accordingly, Applicant does not believe that a fee is due for filing this paper.

Each item of information contained in this IDS was cited in an Office Action issued by the Chinese Patent Office on May 9, 2008 in a counterpart Chinese patent application. Copies of the Chinese Office Action and the listed references are enclosed for the Examiner's consideration. JP 2004-26289A was cited in an IDS filed August 10, 2006 and is not included here.

The documents listed on the accompanying PTO Form 1449 are in a language other than English. A concise explanation of relevance for the non-English language documents listed may be ascertained as follows:

JP 08-21678 – English-language Abstract and the figures therein.

CN 1409608 – the corresponding PCT application No. WO 01/44056 A2 and the figures

therein.

CN 1168121 - the corresponding PCT application No. WO 96/25340 and the figures therein.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed documents are material or constitute "Prior Art." If it should be determined that the listed documents do not constitute "Prior Art" under United States law, Applicant reserves the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

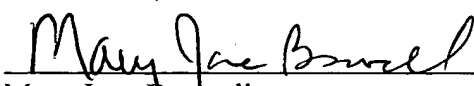
Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should the documents be applied against the claims of the present application.

EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

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